

Honorable Thomas P. O'Neill
Speaker of the House of
Representatives
Washington, D.C. 20515

Dear Mr. Speaker:

This letter transmits for the consideration of the Congress a draft "Intelligence and Intelligence-Related Activities Authorization Act for Fiscal Year 1980."

Last year, a cooperative effort on the part of the Executive Branch and the Congress resulted in passage of the first specific annual appropriations authorization for our nation's vital intelligence activities. This was an important milestone in the development of responsible Congressional oversight. I am confident that consideration of the Fiscal Year 1980 intelligence authorization bill will further that process and foster continued cooperation on intelligence matters in the 96th Congress.

Titles I, II and III of the draft bill are essentially the same as those in the Fiscal Year 1979 Act; they authorize appropriations for the conduct of the intelligence and intelligence-related activities of Intelligence Community entities, for the Intelligence Community Staff, and for the CIA Retirement and Disability System. Section 101(b) of the draft bill notes that the classified annex to the joint explanatory statement of the Conference Committee should be deemed to reflect "the intent of the Congress." I believe that this formulation is in keeping with the status generally accorded committee reports, and that it is preferable to the language of the FY 1979 Act, which declared that the classified annex should be deemed to reflect "the final action of the Congress."

Titles IV and V provide authorizations for educational travel benefits for dependents of CIA employees serving overseas, and for the payment of death gratuities to the survivors of certain CIA personnel. These titles are designed to correct existing inequities and to insure

that benefits available to CIA personnel serving overseas are comparable to those received by employees of other Executive Branch agencies in similar circumstances.

Higher educational facilities in many of the countries in which CIA employees serve are often unavailable or inadequate, forcing families to separate so that children can continue their education at the secondary and college level in the United States. A 1974 Amendment to Subparagraph 5924(4)(B) of Title 5, United States Code, recognized the importance of regular family reunifications to morale, and provided for Government funding of an annual round trip for student dependents of Department of State or United States Information Agency (now International Communications Agency) employees stationed overseas. Under current law, however, most student dependents of CIA employees can make only one such visit to their parents stationed overseas while in high school or college. Title IV of the draft authorization bill seeks to remedy this inequitable situation by amending Section 5924 so as to make CIA families stationed overseas eligible for the same benefit already enjoyed by their State Department and ICA colleagues.

Title V of the draft authorization bill is designed to correct another inequity. Overseas service is becoming more hazardous for personnel of all U.S. agencies. CIA personnel often serve in particularly dangerous circumstances, and they are especially attractive targets (and indeed have been targets) for terrorist groups and extremist organizations. The survivors of Foreign Service employees who die as a result of injuries sustained in the performance of duty outside the United States have been entitled to a death gratuity payment in the amount of one year's salary of the decedent at the time of death since 1 January 1973. Under a 1977 Amendment to 22 United States Code 2679a(d), survivors of Foreign Service Alien Employees were made eligible for the death gratuity benefit retroactively to 1 August 1974. Title V of the draft intelligence authorization bill would authorize the Director of Central Intelligence to

provide for payment of a death gratuity to the surviving dependents of CIA personnel who die as a result of injuries sustained in the performance of duty outside the United States. The provision would apply to deaths that have occurred since 1 January 1973. Because the potential risk of death in the overseas environment is not a function of formal staff employee status, the proposed legislation is written so as to enable me to issue appropriate regulations with regard to the benefit's applicability to the various categories of individuals affiliated with the Agency.

Title VI of the draft authorization bill amends the Central Intelligence Agency Act of 1949 to revise the statutory basis under which CIA personnel are authorized to carry firearms. The Amendment would authorize Agency personnel to carry firearms without geographic limitation, but it provides that within the United States firearms may be carried only for certain specified purposes. This proposal was submitted for Congressional consideration in my letter to you of 11 May 1978, but it was not enacted during the second session of the 95th Congress, and I remain deeply concerned about the ability of the Agency's existing statutory authority to support current needs. Although the matter is addressed in provisions of the proposed Intelligence Charter legislation (S. 2525/H.R. 11245), I continue to believe that legislative clarification of the Agency's firearms authority is of sufficient importance and urgency to warrant separate prompt action.

Early and favorable consideration of the draft "Intelligence and Intelligence-Related Activities Authorization Act for Fiscal Year 1980" would be greatly appreciated. The Office of Management and Budget has advised that there is no objection to presentation of this proposed legislation to the Congress from the standpoint of the Administration's program.

Yours sincerely,

STANSFIELD TURNER